

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;
Nanci E. Langley, Vice Chairman;
Mark Acton; and
Tony Hammond

Competitive Product Prices
Global Expedited Package Services 3 (MC2010-28)
Negotiated Service Agreement

Docket No. CP2015-63

ORDER GRANTING MOTION FOR TEMPORARY RELIEF

(Issued June 24, 2016)

The negotiated service agreement approved in this proceeding (Existing Agreement) is set to expire June 30, 2016.¹ The Postal Service has filed a signed successor agreement in Docket No. CP2016-222 that it states is intended to go into effect on July 1, 2016.²

On June 23, 2016, the Postal Service filed a motion for temporary relief in which it requests the Commission to “continue to list the [Existing Agreement]...on the Mail Classification Schedule until the sooner of (1) June 30, 2016, if the Commission completes its review of the successor agreement filed in Docket No. CP2016-222 by June 30, 2016; or (2) the business day after the Commission completes its review of the

¹ See Order Granting Motion for Temporary Relief, May 20, 2016, at 2 (Order No. 3307).

² Docket No. CP2016-222, Notice of the United States Postal Service of Filing Errata Concerning Global Expedited Package Services 3 Negotiated Service Agreement, June 23, 2016, at 1, 2 (Docket No. CP2016-222 Notice).

successor agreement, thereby replacing the earlier potential termination date that the Postal Service filed in this docket.”³

The Existing Agreement is currently set to expire on June 30, 2016. See Order No. 3307 at 2. The Postal Service has proposed July 1, 2016, as the effective date for the successor agreement. Docket No. CP2016-222 Notice at 1, 2. By requesting that the Existing Agreement expire the sooner of June 30, 2016, or one business day after the Commission completes its review of the successor agreement, a gap in the coverage between the agreements could result. For example, if the Commission were to approve the successor agreement on June 28, 2016, it would appear that the Existing Agreement would expire on June 29, 2016, as it is the earlier of one business day after the Commission completed its review of the successor agreement and June 30, 2016. Given that the Postal Service represents it does not want a gap in coverage of the agreements in its Motion, the Commission interprets the second clause to be operative only if the Commission does not complete its review by June 30, 2016. See Motion at 1. The Postal Service should resolve this ambiguity in future filings for temporary relief.

Allowing the Existing Agreement to remain in effect temporarily is in the public interest and will not prejudice any person. The Motion is granted. If the Commission completes its review of the successor agreement on or before June 30, 2016, the Existing Agreement will expire on June 30, 2016. If the Commission completes its review of the successor agreement after June 30, 2016, the Existing Agreement will expire one business day after the Commission completes its review.

³ Motion of the United States Postal Service for Temporary Relief Concerning Global Expedited Package Services Negotiated Service Agreement, June 23, 2016, at 2 (Motion).

It is ordered:

The Motion of the United States Postal Service for Temporary Relief Concerning Global Expedited Package Services Negotiated Service Agreement, filed June 23, 2016, is granted as discussed in the body of this Order.

By the Commission.

Stacy L. Ruble
Secretary